The Potter Township Supervisors held a Public Hearing and their Regular Business Meeting on Wednesday, August 12, 2015 at the Potter Township Municipal Building. Ms. Rebecca Matsco called the meeting to order at 6:10pm and led the Salute to the Flag.

In attendance were:

Supervisors: Rebecca Matsco, Earl Shamp and Al Cwynar

Solicitor: Michael Jones Engineer: Dan Sell

Secretaries: Christie Floyd-Gabel and Linda McCoy

Visitors: There were several visitors here this evening due to the Question and Answer Session Shell

Chemical Appalachia, LLC presented for Township residents.

The Public Hearing was held for Ordinance 138, an Ordinance of the Township of Potter, Beaver County, Pennsylvania, a Second Class Township under the laws of the Commonwealth of Pennsylvania, an Ordinance requiring all persons, partnerships, businesses, corporations to obtain a permit for any construction or development; providing for the issuance of such permits; setting forth certain minimum requirements for new construction and development within areas of the Township of Potter which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this Ordinance.

Mr. Jones reported the Ordinance was advertised in the Beaver County Times on July 15, 2015. To save money in the advertising of this Ordinance, Mr. Jones combined our advertisement with Hopewell and Greene Townships. He then went on to explain the Ordinance to the visitors. The Floodplain Administrator will be our Zoning Officer. All construction in a floodplain must follow all rules of the Universal Construction Code. Our Ordinance is very similar to other Floodplain Ordinances in the State. There was one change in our Ordinance from the County's, on page 14, Section 4.045, we will not use the Beaver County Conservation District to administer this Ordinance, and all fees will be paid to the Township. Mr. Jones then asked for any questions or comments from the audience.

Bill McLaughlin asked what types of construction is prohibited. Mr. Jones did some research and found that hospitals, nursing homes, neither jails nor manufactured home parks are prohibited. Mr. McLaughlin also asked if we had to pass this Ordinance because of flood insurance in these areas. Mr. Jones replied yes and is necessary for any FEMA grants that may be awarded. Mr. Sell and Ms. Matsco stated that there are no residents in our floodplain. Our floodplain area is along Raccoon Creek and Ohio River.

MOTION: AI Cwynar SECOND: Earl Shamp MOTION CARRIED TO ENACT ORDINANCE 139, AN ORDINANCE OF THE TOWNSHIP OF POTTER, BEAVER COUNTY, PENNSYLVANIA, A SECOND CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, , AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE TOWNSHIP OF POTTER WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

MOTION: Earl Shamp SECOND: AI Cwynar MOTION
TO CONTINUE THE PUBLIC HEARING ON THE CENTER/POTTER TOWNSHIP LINE.

MOTION CARRIED

Mr. Cwynar, Mr. Jones and Susan Rust from Shell Chemical Appalachia, LLC met to discuss the vacating of old township roads on July 14.

The Supervisors met at an Executive Session on August 3 to discuss personnel matters.

Ms. Matsco, Mr. Shamp and Kevin Kisow escorted Mr. Jeff Krafve and Shannon Debes, from Shell Chemical Appalachia, LLC, around the Township on Tuesday, August 4.

Ms. Matsco, Mr. Shamp and Justin Cwynar met with Mr. Sell to discuss the installation of a replacement culvert on Mowry Road.

MOTION: AI Cwynar SECOND: Earl Shamp TO APPROVE THE MINUTES AS CORRECTED FOR JULY 8, 2015

MOTION CARRIED

CITIZENS:

There was a question and answer session conducted by Shell Chemical Appalachia, LLC prior to tonight's meeting.

Ms. Casey Harrington gave an update on our eagle cam. The Township has been granted a permit to install and eagle camera for our nesting eagles. The permit application has several questions that need answered. Ms. Harrington is seeking help to get the correct answers. There is also a concern of available sunlight for the solar power to the camera. Ms. Matsco recommended that Ms. Harrington contact Ms. Michaels of the Independence Conservancy for help and contact information.

OLD BUSINESS:

MOTION: Earl Shamp

SECOND: AI Cwynar

MOTION CARRIED

MOTION TO APPROVE RESOLUTION 10-2015, A RESOLUTION OF THE TOWNSHIP OF POTTER, BEAVER

COUNTY, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE SUBDIVISION SUBMITTED BY SHELL

CHEMICAL APPALACHIA, LLC FOR THE SHELL/DUQUESNE POTTER SUBSTATION SUBDIVISION PLAN NO. 1.

A grant has been submitted to the 2015 Rivers of Steel Mini-Grant Funding for the stabilization and renovation of Blending Barn #1 at the Tank Farm. The grant has a \$15,000 match from the Township. The grant will cover expenses involving the structural assessment, cleaning and stabilization, installation of roofing and siding, and producing interpretive signage. The project will be carried out over a ten (10) month period from the authorization to proceed to allow time to solicit donations and volunteers through our partnership with the Independence Conservancy. All grant/match funded activities will be conducted by third party contractors procured through a competitive bid process.

NEW BUSINESS:

Mr. Justin Cwynar is to contact three companies for phone estimates for new garage doors for the road department's garage.

We received the semi-annual Outdoor Advertising tax report from Genesis Outdoor Advertising. This will be the final report that we receive from them.

We have invited our Scout Troup to our annual family picnic. We had three Eagle Scout projects completed in the township this year! We want to recognize these young men at our event. The new fire pit in the Municipal Park will be ready to be fired up for some s'mores and wienies that night.

SOLICITOR:

Mr. Jones is still working with Center Twp.'s solicitor on the Township line.

He is still working on the real estate refund for Horsehead Corp.

Shell Chemical Appalachia, LLC is still working on a draft of the Developer's Agreement for construction as well as amendments to the previous agreement.

Mr. Jones is still working on the new police contract.

There was a discussion held about a traffic study for the intersection of Mowry Road and Trillium Way. Mr. Jones explained a traffic study and police report would be needed to install traffic control signs on Mowry Road. Mr. Shamp asked if the plans that were done when Trillium Way was created could be used. Mr. Sell stated that his firm should have them in their archives. Mr. Jones stated a traffic study would still be needed to be done. Any Township authorized individual could do this traffic count.

Mr. Tom Podnar agreed there is a problem at this intersection. Mr. Jones said we could install a white informational sign near this intersection stating "traffic from the right has the right of way".

Mr. Jones recommended that we ask the Center Police for any accident reports for this area. Mr. Cwynar asked if the township is liable if an accident occurs there now. Mr. Jones replied yes.

MOTION: AI Cwynar SECOND: Rebecca Matsco ABSTAINED: Earl Shamp MOTION CARRIED TO AUTHORIZE A TRAFFIC STUDY FOR THE INTERSECTION OF MOWRY ROAD AND TRILLIUM WAY.

ENGINEER:

Mr. Sell has received several communications from Lennon, Smith, Souleret Engineering concerning the Center Twp. Water Authority Subdivision and Land Developments. The plans submitted had comments that needed addressed. Kevin Brent form Lennon, Smith, Souleret, Engineering appeared before the Board with drawings of the planned developments. Four plans have been submitted: two Subdivisions and two Land Development plans.

Mr. Brent stated the plant needs to be operational by the spring of 2016. He is requesting approval of all applications. Mr. Sell stated he still needs copies of some permits. The Supervisors still do not have a Developer's Agreement with the Center Water Authority. Currently there are no plans for one for these projects. A Stormwater Management plan is also needed from the Center Township Water Authority.

MOTION: Earl Shamp

SECOND: AI Cwynar

MOTION CARRIED
TO APPROVE RESOLUTION 11 FOR THE SUBDIVISION, MALL LOT #3 AND LAND DEVELOPMENT PLAN
SUBMITTED BY THE CENTER TOWNSHIP WATER AUTHORITY FOR AN INTAKE SITE LOCATED ALONG THE
OHIO RIVER ON CONDITION THAT ALL PERMITS HAVE BEEN OBTAINED AND COMMENTS HAVE BEEN
ADDRESSED AND SUBMITTED TO OUR TOWNSHIP ENGINEER, DAN SELL.

CORRECTION:

TO APPROVE RESOLUTION 11-2015, A RESOLUTION APPROVING THE SUBDIVISION, LAND DEVELOPMENT AND GRADING PLAN OF THE CENTER TOWNSHIP WATER AUTHORITY FOR THE REVISED MALL SUBDIVISION PLAN NO. 3 OHIO RIVER INTAKE SITE ON CONDITION THAT THE APPLICANT COMPLY WITH THE COMMENTS OF THE TOWNSHIP ENGINEER DATED JULY 10, 2015 AND JULY 24, 2015, ANY COMMENTS RENDERED BY THE POTTER TOWNHIP PLANNING COMMISSION AND THE BEAVER COUNTY PLANNING COMMISSION AND THAT ALL REQUISITE PERMITS ARE OBTAINED FROM THE DEP.

MOTION: AI Cwynar SECOND: Earl Shamp MOTION CARRIED TO APPROVE RESOLUTION 12 FOR THE SUBDIVISION, STONEY RIDGE LAND PLAN #4 AND LAND DEVELOPMENT PLAN SUBMITTED BY THE CENTER TOWNSHIP WATER AUTHORIY FOR AN INTERIM WASTEWATER TREATMENT PLANT ON CONDITION THAT A STORMWATER MANAGEMENT PLAN BE SUBMITTED AND ALL PERMITS OBTAINED AND SENT TO OUR TOWNSHIP ENGINEER, DAN SELL.

CORRECTION:

TO APPROVE RESOLUTION 12-2015, A RESOLUTION APPROVING THE SUBDIVISION LAND DEVELOPMENT AND GRADING PLAN OF THE CENTER TOWNSHIP WATER AUTHORITY FOR THE STONEY RIDGE SUBDIVISION PLANL NO. 4 INTERIM WATER TREATMENT PLANT ON CONDITIONS THAT THE APPLICANT COMPLY WITH THE COMMENT LETTERS TO THE TOWNSHIP ENGINEER DATED JULY 10, 2015 AND JULY 24, 2015, ANY COMMENTS RENDERED BY THE POTTER TOWNSHIP PLANNING COMMISSION AND THE BEAVER COUNTY PLANNING COMMISSION, THAT ALL REQUISITE PERMITS ARE OBTAINED FROM THE DEP AND THAT A BEST MANAGEMENT PRACTICES AGREEMENT IS EXECUTED FOR STORMWATER MANAGEMENT.

Mr. Sell is still working on the Act 537 Plan update and recommendations for funding.

Mr. Sell received a plan from Verizon for additional antennae on their existing tower.

Mr. Sell responded to Weavertown's request for an oil and gas waste treatment plant. He did tell them they needed to apply for a variance for this to precede.

ZONING OFFICER

Dave Hagen has completed his Nonconforming & Conditional Use Properties report.

He is also submitting a letter recommending amendments to our new Zoning Ordinance concerning fencing and swimming pools.

Mr. Hagan recommended the zoning lines follow parcel lines. Ms. Matsco replied that the lines were created for areas not parcels such as the Natural Heritage area hillsides.

INTERN REPORT:

Kevin Kisow has completed his internship. A report is in the Township Office for those who desire to read it here.

POLICE DEPARTMENT:

Officer Hall reported ATV activity has increased in the area. One citation has been issued and the police department is working with Shell Chemical Appalachia, LLC to control this problem.

The police conducted "Active Shooter" training at the Beaver Valley Mall on Sunday evening. Center, Monaca, the County 911 Center and EMS companies were involved.

FIRE DEPARTMENT:

The Fire Department has requested help with a grant for wild land equipment. They have been awarded a \$13,625 grant that is a 50/50 match. The items for the grant must be purchased prior to receiving the matching funds. The Fire Department has requested \$13,625 from the Township to purchase these items. Once the matching funds are given to them, they will go to the Township.

MOTION: Earl Shamp

SECOND: AI Cwynar

MOTION CARRIED
TO APPROVE THE EXPENDITURE OF \$13,624 OF EQUIPMENT FOR THE FIRE DEPARTMENT TO PURCHASE
WILD LAND EQUIPMENT. THE TOWNSHIP WILL BE REIMBURSED FROM THE FIRE DEPARTMENT FOR \$6,
6812.50.

The Boy Scouts have requested that their equipment trailer be titled to the Fire Department. This will help in having a central owner and place for the paperwork involved. The Supervisors did agree to this at the Work Session held on August 4. The insurance for the trailer and contents will be paid by the Township.

MOTION: AI Cwynar SECOND: Earl Shamp MOTION CARRIED TO ACCEPT THE BOY SCOUTS EQUIPMENT TRAILER BE TITLED TO THE FIRE DEPARTMENT AND ITS INSURANCE BE PAID BY THE TOWNSHIP.

Chief Carlton told the Board the Fire Department has closed their debt reduction grant. A new application will be completed in September.

The Fire Department has applied for a \$95,000 grant from FEMA. They have not been accepted not rejected to date. This grant is a 95/5% match grant.

Chief Carlton asked for help from Mr. Jones on a problem with the Fire Department obtaining a 501C3 tax exemption. Mr. Jones will forward their information to Mr. Chad McMillen of his firm to contact them. His specialty is tax law.

The Fire Department is acquiring three bids for a new tanker. The Fire Department's anticipated financing includes loans, fundraising and donations.

The Fire Department parking lot is being paved this Friday. Their equipment will be parked by the side of the building. Volunteers will be watching the equipment.

Mr. Shamp thanked Bruce McElhaney for grading and covering the Fire Department's parking lot in preparation of paving on Friday.

There is a fund raiser being held by the Fire Department. It is a bus trip to three of Ohio's winery. It includes lunch and dinner as well as raffle prizes in addition to the wine tastings. The cost is \$70/person plus the cost of the wine tastings. Please contact Casey Harrington to sign up.

PLANNING COMMISSION:

The Planning Commission approved the subdivision application submitted by Shell Chemical Appalachia, LLC for the Shell/Duquesne Potter Substation Subdivision Plan No. 1 at their July 16, 2015 meeting upon condition of approval from Mr. Sell.

The Planning Commission has requested that plans be submitted with a 14 day notice.

INTERN REPORT"

All residents are invited to check out the walking trails at the Tank Farm. Kevin Kisow spent the summer preparing these trails for us.

Independence Conservancy was paid \$1,500 to supervise the internship activities for 12 weeks.

ROAD DEPARTMENT:

Tar and chipping will begin at the end of this month. Roads that will be done are Anderson Drive, West Mowry Road, Pardue Drive, Squirrel Run Road and Trillium Way.

The Supervisors discussed the need for Justin Cwynar meet his CDL requirement for employment.

REAL ESTATE TAX COLLECTOR:

Christie Floyd-Gabel submitted the July Real Estate Tax Report to the Supervisors.

CITIZENS:

Mr. Podnar stated there was a lot of ATV traffic on the gas line right of way this weekend. Officer Hill replied the police are aware of the problem but recommended residents call the police department when it occurs. He also requested that residents record times and days when this is occurring. If there is a pattern to the problem, they can address it easier.

Mr. Podnar also reported that three residents had their lawns vandalized by some type of ATV over the weekend. He did report this to the police.

Mr. Shamp reported that the guide rail along the gas line on Mowry Road would be replaced by Mark West soon.

TREASURER'S REPORT:

MOTION: Earl Shamp

SECOND: AI Cwynar

MOTION CARRIED
TO APPROVE THE TREASURER'S REPORT AND PAY THE BILLS FOR THE MONTH OF AUGUST. THE BALANCE
IN THE GENERAL FUND BEING \$401,230.61, THE STATE LIQUID FUELS FUND BEING \$11,300.04,THE CAPITAL
FUND BEING \$140,038.66 AND ESCROW MONIES BEING \$62,053.57. BALANCE IN THE WAGE TAX ACCOUNT IS
\$60,027.15.BILLS FOR THE MONTH OF AUGUST TOTALED \$72,928.66.

ANNOUNCEMENTS:

Shell Chemical Appalachia, LLC will be working on Route 18 the weekend of August 14 at 8am. Because of this the road will be temporarily closed. It will be reopened for Monday's traffic at 6am.

Pleasant Drive is going to be closed permanently until July 2016 that same weekend.

The Planning Commission's next scheduled meeting is Thursday, September 17 at 7:00pm.

The Supervisors want to remind everyone about our annual Family Reunion Picnic on Saturday, August 22. Come and enjoy an evening with your friends and neighbors.

The Supervisors will hold a Work Session on Wednesday, September, 2 at 6:00pm.

The Township Office will be closed Monday, September 7 in observance of Labor Day.

The next scheduled Supervisors' Business Meeting is Wednesday, September 9 at 6:00pm.

MOTION: Earl Shamp SECOND: AI Cwynar THERE BEING NO FURTHER BUSINESS THE MEETING ADJOURNED AT 7:41pm.

MOTION CARRIED

Respectfully Submitted,

Christie Floyd-Gabel, Secretary